

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:15-cr-04067-SRB-3
)	
DIJON RASHEED BROWN,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge Epps' Report and Recommendation (Doc. #305) recommending that Defendant Brown's Motion to Dismiss the Indictment Pursuant to Rule 12.4 (Doc. #286) be denied. Defendant Brown filed a Motion to Reconsider Report and Recommendation (Doc. #308) and Objections to the Report and Recommendation (Doc. #314) asking the Court to sustain his Motion to Dismiss the Indictment Pursuant to Rule 12.4. Defendant Brown argues that Federal Rule of Criminal Procedure 12.4 requires the Government to file a statement identifying the victim of the alleged crimes, and the Government's failure to file such statement warrants dismissal of the indictment. Defendant contends that the alleged conspiracy is an organizational victim, thus triggering Rule 12.4. Defendant argues his Fifth and Sixth Amendment rights have been violated because the Government has not filed a statement identifying the victim.

After an independent and careful review of the record, the applicable law, and the parties' arguments, the Court DENIES Defendant Brown's motion to reconsider (Doc. #308), OVERRULES Defendant Brown's objections (Doc. #314), and ADOPTS Judge Epps' Report

and Recommendation (Doc. #305). Defendant Brown's Motion to Dismiss the Indictment Pursuant to Rule 12.4 (Doc. #286) is DENIED.

IT IS SO ORDERED.

/s/ Stephen R. Bough
STEPHEN R. BOUGH, JUDGE
UNITED STATES DISTRICT COURT

Date: October 10, 2017